

PRELIMINARY AMENDMENT IN RESPONSE TO OFFICE ACTION
U.S. Application Serial N . 09/582, 952

REMARKS

Applicant acknowledges with appreciation the statement in the most recent Office Action that claims 1-3 and 5 are allowed, as well as the withdrawal of the rejection of Claim 4 over Gardner et al. These claims have been amended herein not in response to a rejection, but to further clarify and define the invention.

However, Claim 4 was rejected in the Office Action as anticipated by Diwidkar et al. (Chem Abstracts No. 1962:462460; Current Science (1962), 31, 149-150 Ti-Lignans. II. Synthesis of benzophenones as intermediates for the synthesis of lignans, 1962). Applicant requests that this rejection be withdrawn, because Claim 4 as recited in the Amendment filed on August 1, 2003 did not cover the Diwidkar compound. Although the proper wording for Claim 4 is reflected in the version with markings to show changes made in this Amendment, on page 5 of the August 1, 2003 Amendment, there is a typographical error in the Clean Version (page 3 of the Amendment) which makes it appear as though Claim 4 would cover Diwidkar. The undersigned discussed this with Examiner Barts via telephone, on January 6, 2004, but the Examiner advised that it would be necessary for the Applicant to file an RCE in order to have this properly addressed. Accordingly, Applicant is filing herewith an RCE.

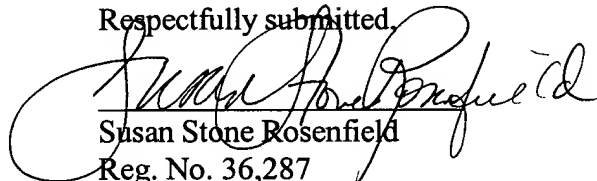
Applicant submits that the claims now present are in full compliance with 35 U.S.C. § 112, and therefore requests reconsideration and allowance of all of the claims in the application.

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The Examiner is invited to telephone the Applicant's undersigned representative, if this would in any way facilitate prosecution of the application.

Dated: March 30, 2004

Respectfully submitted,



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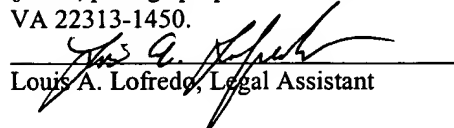
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Louis A. Lofredo, Legal Assistant

3-30-04
Date of Signature